

James Madison to Thomas S. Grimke, January 6, 1834. Transcription: The Writings of James Madison, ed. Gaillard Hunt. New York: G.P. Putnam's Sons, 1900-1910.

TO THOMAS S. GRIMKE. MAD. MSS.

Montpr, Jany. 6, 1834.

Dear Sir Your letter of the 21st of Augst last was duly recd, and I must leave the delay of this acknowledgment of it to your indulgent explanation. I regret the delay itself less than the scanty supply of autographs requested from me. The truth is that my files have been so often resorted to on such occasions, within a few years past, that they have become quite barren, especially in the case of names most distinguished. There is a difficulty also, not readily suggesting itself, in the circumstance, that wherever letters do not end on the first or third page, the mere name cannot be cut off without the mutilation of a written page. Another circumstance is that I have found it convenient to spare my pigeon holes, by tearing off the superscribed parts where they could be separated; so that autographs have been deprived even of that resource.

You wish to be informed of the errors in your pamphlet alluded to in my last. The first related to the proposition of Doctor Franklin in favor of a religious service in the Federal Convention. The proposition was received and treated with the respect due to it; but the lapse of time which had preceded, with considerations growing out of it, had the effect of limiting what was done, to a reference of the proposition to a highly respectable Committee. This issue of it may be traced in the printed Journal. The Quaker usage, never discontinued in the State and the place where the Convention held its sittings, might not

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have been without an influence as might also, the discord of religious opinions within the Convention, as well as among the clergy of the spot. The error into which you had fallen may have been confirmed by a communication in the National Intelligencer some years ago, said to have been received through a respectable channel from a member of the Convention. That the communication was erroneous is certain; whether from misapprehension or misrecollection, uncertain.

The other error lies in the view which your note L for the 18th page, gives of Mr. Pinckney's draft of a Constitution for the U. S., and its conformity to that adopted by the Convention. It appears that the Draft laid by Mr. P. before the Convention, was like some other important Documents, not among its preserved proceedings. And you are not aware that *insuperable* evidence exists, that the Draft in the published Journal, could not, in a number of instances, material as well as minute, be the same with that laid before the Convention. Take for an example of the former, the Article relating to the House of Representatives more than any, the corner stone of the Fabric. That the election of it by the *people* as proposed by the printed Draft in the Journal, could not be the mode of Election proposed in the lost Draft, must be inferred from the face of the Journal itself; for on the 6th of June, but a few days after the lost Draft, was presented to the Convention, Mr. P. moved to strike the word "*people*" out of Mr. Randolph's proposition; and to "Resolve that the members of the *first branch* of the National Legislature ought to be *elected* by the *Legislatures* of the *several States*. But there is other and most conclusive proof, that an election of the House of Representatives, by the *people*, could not have been the mode proposed by him. There are a number of other points in the published Draft, some conforming most *literally* to the adopted Constitution, which it is *ascertainable*, could not have been the same in the Draft laid before the Convention. The Conformity & even identity of the Draft in the Journal, with the adopted Constitution, on points & details the result of conflicts and compromises of opinion apparent in the Journal, have excited an embarrassing curiosity often expressed to myself or in my presence. The subject is in several respects a delicate one, and it is my wish that what is now said of it may be understood as yielded to your earnest request,

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and as entirely confined to yourself. I knew Mr. P. well, and was always on a footing of friendship with him. But this consideration ought not to weigh against justice to others, as well as against truth on a subject like that of the Constitution of the U. S.

The propositions of Mr. Randolph were the result of a Consultation among the seven Virginia Deputies, of which he, being at the time Governor of the State was the organ. The propositions were prepared on the supposition that, considering the prominent agency of Virga. in bringing about the Convention, some initiative step might be expected from that quarter. It was

meant that they should sketch a real and adequate Govt. for the Union, but without committing the parties agst. a freedom in discussing & deciding on any of them. The Journal shews that they were in fact the basis of the deliberations & proceedings of the Convention. And I am persuaded that altho not in a developed & organized form, they sufficiently contemplated it; and moreover that they embraced a fuller outline of an adequate system, than the plan laid before the Convention, variant as that, ascertainably must have been, from the Draft now in print.

Memo. —No provision in the Draft of Mr. P. printed in the Journal for the mode of Electing the President of the U. S.